

REGULAR MEETING of the Town Council held on Wednesday, February 22, 2006 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, for and within the Town of Burrillville.

MEMBERS PRESENT: Council President Wallace F. Lees; Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea.

MEMBERS ABSENT: Councilor Ronald E. Faford was excused due to illness.

1. Council President Lees led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meetings held January 23, 2006, the workshop held January 23, 2006, the public hearing held January 25, 2006 and dispense with the reading of said minutes.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville.

Councilor William E. Gonyea commended Lt. Governor Charles Fogarty and Representative Raymond Church for their opposition to the proposed closing of the Woonsocket Registry of Motor Vehicles.

Councilor Margaret L. Dudley noted that the Binns Building would be dedicated on Sunday, February 26, 2006 at 1:00 P.M.

Michael C. Wood, Town Manager, discussed the completion of the School Administration Building.

5. Petitions: None

6. Special Business:

06-046 VOTED to grant a Special Event Entertainment License to Richard Guilbault d/b/a Rhode Island Bluegrass Music Association for a Bluegrass Music Concert to be held at 362 Wakefield Road, Pascoag on April 2, 2006.

Motion by Councilor William A. Andrews. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members

in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-047 VOTED to adopt a proclamation honoring John Kamarzyn on his 90th Birthday, as follows:

**BURRILLVILLE TOWN COUNCIL
PROCLAMATION**

WHEREAS, John Karmozyn was born on February 28, 1916 in Albion, Rhode Island and we now join him in celebration of his 90th birthday. John married the late Yvette Anger on May 11, 1940 and together they raised their sons Robert, John “Mike” and William. In 1946 John and Yvette opened Johnny’s Clam Spa in Glendale and in 1950 they built a home and moved to Glendale where they lived until moving to Pascoag in 2002; and

WHEREAS, John Karmozyn devoted many years to the service of the Town of Burrillville in various capacities. Throughout the years, he served as a member of the Glendale Fire Department, as a member the Operating Committee of the Glendale Fire District and as a

member and former President of the Burrillville Lions Club. John also served on several Town boards and committees throughout the years including the Zoning Study Committee, the Industrial Development Committee, the Industrial Foundation, the School Building Committee for the construction of the Austin T. Levy School, the Burrillville Planning Board and the Burrillville Board of Estimates; and

WHEREAS, John Karmozyn was honored for his service and generosity to the community as the Burrillville Chamber of Commerce's Distinguished Citizen for 1977 and was further recognized by being named to the Burrillville Athletic Hall of Fame in 2003. John Karmozyn has been an outstanding citizen of the Town of Burrillville for over 50 years and he has set an example we can all strive to follow.

NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville on this 22nd day of February 2006 do hereby honor and commend John Karmozyn for his many years of commitment and service to the Town of Burrillville and invite his family, friends and all of the citizens of the Town of Burrillville to join us in wishing him a very happy 90th birthday.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President

Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

7. Unfinished Business:

06-021 VOTED to open the correspondence from Barbara A. VonVillas, Ph.D., Superintendent of Schools, relative to the School Department's request to establish a revolving fund for Special Education tuitions; and the recommendation of Michael C. Wood, Town Manager.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

Discussion: Michael C. Wood, Town Manager, explained why he and the Finance Director recommended that the request be denied, noting that there would be no financial impact on the system. Mr. Wood suggested that the School Committee might request a broad-scope revolving account as part of their budget requests.

VOTED to deny.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

8. New Business:

06-048 VOTED to open a resolution appointing Burrillville Fire Alarm, Inc. to be responsible for installation, operation and maintenance of the radio fire alarm signaling system located within the Town of Burrillville.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

Discussion: It was noted that Fire Chief David Shaw was not present. The Council noted that they had several questions related to the resolution.

VOTED to table for two weeks.

Motion by Councilor William A. Andrews. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-049 VOTED to open discussion of the 2006 Legislative Agenda.

Motion by Councilor William E. Gonyea. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

Discussion: Councilor William E. Gonyea read the following comments into the record:

I deeply regret, due to human error, that I did not attend the workshop session held Monday, January 23, 2006 relative to discussing the 2006 legislative agenda: issues and concerns that may impact the town and any pending or proposed legislation that pertains to the town.

However, and for the record, I want to state that I strongly oppose any consideration of enabling legislation that empowers the Burrillville Sewer Commission so that the town council has a role in setting or approving sewer assessments/betterment rates.

In view of the commission's renown honorable track record of all those who served on the bipartisan board, free of incompetence and corruption from its beginning until now, with unselfish dedication made our waste water treatment plant second to none and our greatest source of pride along with the honors, awards and acclaims they received local, state, national and world wide.

I must say, in my opinion and all due respect, that this is a slap in the face to the finest board in town. Also, I wish to commend them for the 100% vote of confidence that the tax payers gave them that did not show up at the recent public hearing to oppose the Eastern Village proposal sewer plan that is now ongoing.

MOTION to approve the 2006 Legislative Agenda, excluding amending enabling legislation that empowers the Burrillville Sewer Commission, so that the Town Council has a role in setting or approving betterment rates.

Motion by Councilor William E. Gonyea. Seconded by Councilor Margaret L. Dudley.

Discussion: There was general discussion of the Sewer Commission's role. Michael C. Wood, Town Manager, reviewed the

Council's responsibility for the financial program and tax rate of the community and stated his opinion that Town Council should have a voice in debts that the Town incurs.

The motion failed, three in favor, three opposed, one excused. Voting in favor of the motion were Councilors Nancy F. Binns, William E. Gonyea and Margaret L. Dudley. Voting in opposition were Council President Wallace F. Lees, Councilors Jacqueline Zahn and William A. Andrews. Councilor Ronald E. Faford was excused.

The Council reviewed and prioritized the legislative agenda and requested that the administration prepare proposed resolutions for the next Council meeting.

VOTED to pass the 2006 Legislative Agenda.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion carried, five in favor, one abstained, one excused. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns and Margaret L. Dudley. Councilor William E. Gonyea abstained. Councilor Ronald E. Faford was excused.

06-050 VOTED to support Senate Bill 2006S – 2135, An Acting Relating to Education – The Rhode Island Student Investment Initiative.

Motion by Councilor William A. Andrews. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-051 VOTED to open the correspondence from Representative Kenneth Carter requesting Town Council consideration of RI Public Law Chapter 06-003, related to local property tax relief programs for Rhode Island Veterans.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor William A. Andrews. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

VOTED to receive and file.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews,

Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-052 VOTED to receive and file the correspondence from Louise R. Phaneuf, Town Clerk, regarding review, consideration and action on various legislative items included in the 2006 Legislative Agenda.

Motion by Councilor William A. Andrews. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-053 VOTED to open discussion of authorizing the Town Manager and Town Solicitor to enter into agreement for professional services.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

Discussion: Michael C. Wood, Town Manager, and Richard A. Bernardo, P.E., Director of Public Works and Engineering Services described the purpose and process of establishing the agreements.

VOTED to authorize the Town Manager and Town Solicitor to enter into agreements with the following firms for an initial period of up to three (3) years with the option for the Town Manager to extend the initial agreement for a period up to two (2) additional years:

Bryant Associates Natural Resource Services Louis Berger & Associates

CME Associates Joe Casali Engineering Co. Pare Engineering

Beals & Thomas Lincoln Environmental Edwards & Kelcey

Gates, Leighton & Assoc. Woodard & Curran Beta Group

Beckman Weremay, Ltd. Fuss & O'Neill Jacque Whitford

Motion by Councilor Nancy F. Binns. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-054 VOTED to open the correspondence from Tri-Town Community Action Agency Parent Committee regarding a meeting to be held Tuesday, March 7, 2006 to discuss their concerns for safety on Pascoag Main St.

Motion by Councilor William A. Andrews. Seconded by Councilor

Margaret L. Dudley. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

Discussion: There was discussion that Pascoag Main St. is a state road and that the town has no authority to work on state roads. Richard A. Bernardo, P.E., Director of Public Works and Engineering Services, indicated that he and Col. Bernard E. Gannon, Chief of Police, intended to attend the meeting and advise the group on the appropriate means of addressing their concerns to the state.

VOTED to receive and file, with a recommendation that Richard A. Bernardo, P.E., Director of Public Works and Engineering Services, attend the meeting and offer whatever assistance he could.

Motion by Councilor William A. Andrews. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-055 VOTED to receive and file the correspondence from Cheri R. Hall, Director of Parks & Recreation, regarding the Relay for Life 2006.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-056 VOTED to receive, support, and file the correspondence from Cheri R. Hall, Director of Parks & Recreation, regarding the April 29, 2006 Community Walk for Cancer in memory of Rosalie Tessier.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-057 VOTED to declare surplus certain items, as listed in the correspondence from Edward J. Pienkos, Information Systems Manager.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President

Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

06-058 VOTED to approve the scheduling a special meeting on Saturday, March 18, 2006 at 10:00 A.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

9. Town Clerk/Communication:

06-059 VOTED to receive and file the correspondence from Martin D. Wencek, Permitting Supervisor, Office of Water Resources, Freshwater Wetlands Program, regarding insignificant alteration permit - application #05-0456.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor

Ronald E. Faford was excused.

10. VOTED to receive the following reports.

1. Town Treasurer: January 2006

2. Burrillville Sewer Commission: Report of December 2005, Meetings of January 10 and 17, 2006

3. Tax Collector: January 2006

4. Department of Public Works: No report

5. Chief of Police: January 2006

6. Office of Building Official: January 2006

7. Animal Control Officer: January 2006

8. Burrillville Housing Authority: Meeting of January 3, 2006

9. Planning Board: Meetings of December 15, 2005 and January 9, 2006

10. Zoning Board of Review: No report

11. Town Planner: No report

12. Parks and Recreation Department: February 2006

13. Information Systems Department: February 2006

14. Burrillville Conservation Commission: Meeting of November 8, 2005

15. Juvenile Hearing Board: No report

16. Ordinance Subcommittee: No report

17. Redevelopment Agency: Meeting of October 6, 2005

18. Route 102 Study Commission: No report

19. BOSAP: No report

20. Personnel Board: No report

21. Screening Subcommittee: Meetings of November 7, 2005 and January 23, 2006

22. Downtown Pascoag and Neighborhood Association: No report

23. Budget Board: No report

24. Library Building Committee: No report

25. Burrillville School Committee: No report

26. Library Fundraising Committee: Meeting of January 4, 2006

27. Callahan School Building Committee: Meetings of October 24, November 3, November 10, November 21, December 1, December 6, 2005 and January 17, 2006

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

11. Additional New Business:

06-060 VOTED to grant the request for Executive Session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(5)] for discussion and considerations related to the acquisition, sale or exchange of real property; and [42-46-5 (a)(2)] for review and discussions relating to litigation matters and

[42-46-5 (a)(2)] for discussions pertaining to Council 94 collective bargaining.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

There was a recess before the executive session.

The Council returned to open session at 8:20 P.M.

VOTED to seal the minutes of executive session, noting that no votes had been taken.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

VOTED to adjourn at 8:21 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members in attendance. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and William E. Gonyea. Councilor Ronald E. Faford was excused.

Louise R. Phaneuf, Town Clerk